

Bibles and Testaments at Less Than Half Price To-Day

Several hundred Bibles and Testaments will be sold to-day at an unusual reduction. A chance for you to buy a Fine Bible or Testament for a little money. A complete assortment, including King James or American Standard versions—Red Letter Editions, Christian Workers, etc. All sizes and bindings in this sale.

50c Bibles and Testaments reduced to...	23c	\$1.50 Bibles and Testaments reduced to...	69c
75c Bibles and Testaments reduced to...	35c	\$2.00 Bibles and Testaments reduced to...	89c
90c Bibles and Testaments reduced to...	39c	\$3.25 Bibles and Testaments reduced to...	\$1.39
\$1.00 Bibles and Testaments reduced to...	45c	\$4.00 Bibles and Testaments reduced to...	\$1.89
\$1.25 Bibles and Testaments reduced to...	59c		

Special Sale of Picture Frames

On sale this morning so unusual values in Picture Frames. Sixty different sizes are included; all high grade metal frames, and the price is cut in two.

25c values for...	15c
35c values for...	20c
50c values for...	25c

Any photo can be fitted from the above.

New Books Just Published

Within the last week three unusual Novels have appeared. These books promise to be very successful:

"Wild Olive," by the author of the "Inner Shrine," \$1.08.
"Kilmeny of the Orchard," by L. M. Montgomery, author of "Anne of Green Gables," \$1.00.

"A Splendid Hazard," Harold McGrath, author of "The Man on the Box," \$1.08.

Miller & Rhoads

FARMERS TO MEET NEXT IN RICHMOND

State Convention to Hold First Regular Session in This City.

FIGHTING THE MIDDLEMAN STILL IN THE LIMELIGHT

Plans Considered for Co-Operation in Marketing—Committee Adjourns.

By unanimous vote the executive committee of the Virginia Division of the Farmers' Educational and Co-operative Union of America, decided yesterday afternoon that the next annual State convention of the order should be held in Richmond. This meeting will begin on the first Tuesday in February, 1911.

The State Union will be composed of about 120 members. Each county is entitled to one delegate, and in addition there is to be one delegate for each 100 members or a majority fraction thereof.

In addition, officials of the National Union will be present, and most of the delegates will bring members of their families. Altogether, between 300 and 400 persons will come to Richmond for the meeting.

The February meeting will in reality be the first as a State union. The order itself is only four years old, and until this year the Virginia members have been operating under the National Union. At the meeting last February in Lynchburg, a State Union was organized. The organization has grown wonderfully, now having about 6,000 members in this State. There are 1,200 in Mecklenburg county alone.

It was further decided to send delegates from Virginia to a conference of members of the order from tobacco growing States, to be held at Morristown, Tenn., on June 22. S. P. Spain, of Church Road, and State Secretary, L. L. Pettit, of Union Level, were chosen to attend this meeting.

State President D. M. Gannaway, of Guinea Mills, also expects to be present. Methods of marketing tobacco are to be considered.

In reality the leading feature of the meeting was the laying of plans for disposing of the middleman in handling the products of the soil and of the cattle pen. It is realized that only by co-operation can the desired end be attained, and plans were discussed for getting together along this line. The union now feels itself strong enough to act in concert and to protect the consumer while marketing the goods of the producer to the best advantage. It was said that definite plans were being considered, but could not be divulged until perfected.

A resolution was adopted deploring the defeat of the agricultural lime grinding bill by the State Senate, in deploring the action of the House of Delegates in passing the bill and thanking Governor Mann for his position in this and in other matters designed to aid the farming interests of the State.

The executive committee completed the business before it yesterday afternoon and adjourned.

MOTORISTS REPORTED

Four Summoned to Answer Charges of Speeding and Reckless Driving. Dulness in reporting automobilists for violation of the speed law in recent days had, doubtless, led some to believe that there need be no more apprehensions, but motorists will be summoned to Police Court this week to answer to the charge of speeding and reckless driving.

Bicycle Policemen Samuels and Palmer yesterday reported W. H. Schwarzschild, of 1839 West Grace Street, for speeding. On the day before the same officers reported J. D. Carneal, of 412 Allen Avenue, and Mrs. George L. Anderson, of 1612 Hanover Street, on the same charge. Henry Richardson was reported for recklessly driving his automobile at Seventh and Broad Streets.

CHARTERS ISSUED

Charters were granted yesterday as follows by the State Corporation Commission: The Vinton Improvement Company (Inc.), Vinton, Va. J. E. Saunders, president; J. H. Scott, vice-president; H. J. Saunders, secretary; all of Vinton, Va. Capital: Maximum, \$15,000; minimum, \$2,500. Objects: Real estate business.

West End Development Corporation, Richmond, Va. H. Adams, president; J. W. Fuller, vice-president; Peter Montague, secretary and treasurer; all of Richmond, Va. Capital: Maximum, \$20,000; minimum, \$10,000. Objects: Real estate business.

Lambert XI Society, Petersburg, Va. Plummer, president; Petersburg, Va. Lottie, vice-president; Petersburg, Va. McIntire, Va. Mary Johnson Layton, Oklahoma; Bettie Jones, Petersburg, Va. Objects: Literary society.

COUNCILMEN TO GIVE THEIR SIDE

Pollock and Wise Will Present Witnesses Before Committee To-Night.

Question as to Why Fee Was Paid Somewhat in Dispute.

The Wise-Pollock investigation has overshadowed all other matters at the City Hall, and will again hold the center of the stage to-night, when it is expected that the evidence will be concluded. Mr. Wise and Mr. Pollock have indicated that they will call several witnesses for the defense. Chairman Richardson has again and again stated that the inquiry into the progress is by no means a trial of the two men, and he has ruled out questions which seemed to put them in that attitude. It is, he explains, merely an investigation to get at certain material facts which the Council and people of Richmond should know, and when those facts are ascertained it will be time enough to determine what steps, if any, should be taken. The message of Mayor Richardson to the Council, which was the basis for the inquiry, made two principal allegations—one that the City Councilmen had received in return for the \$300 fee, which they acknowledge having received, secured the passage by the Council of an amendment to the ordinance; and the other that they had made certain efforts to induce the Chief Health Officer to delay the adoption of the ordinance. It was these two counts of the indictment which the committee was appointed to sift. The Mayor communicated the nature of the information which had come to him both to the Commonwealth's attorney and to the Council.

Two Counts to Charge. As to the first charge the witnesses and the records agree as to the substantial facts. The ordinance was recommended by the Health Board, drawn by Dr. Levy, after consultation with Mr. Wise as to its verbal construction, came to the Council in the usual way, was secured by Mr. Wise from the City Clerk, taken first to Mr. Cutchins and then to Dr. Reade, who introduced and secured its adoption under suspension of the rules, going the usual round of committees. The ordinance was concurred in, signed by the Mayor, and two days later Mr. Dietrich paid Mr. Wise \$300 in currency at his office on Bank Street. It does not appear that there was any lobbying in connection with the ordinance. There was no opposition to a Health Board measure, which was offered and endorsed by Dr. Reade, then the only medical man in the body. So much for the first count. On the day the matter first became generally known Mr. Wise issued the following statement for publication, to which Mr. Pollock assented:

"We were employed as attorneys for these dairymen charged with feeding distillery swill, a practice which was less and suitable feed for the animals. We were not employed as attorneys for these dairymen before the ordinance was passed, but we were exonerated by the Chief Health Officer as to the charges. We received for our services as attorneys a joint fee of \$300, and refused a further fee of a like amount offered to us in connection with the suggested adoption of a city ordinance."

Ordinance Did Not Need Amending. Two days later the Mayor's message was read in the Common Council and the two accused members joined in asking for an investigation. It was on the floor of the Council that Mr. Wise first advanced the plea that their employment had been to have a wholesome diet for cows. The evidence of what is admitted to be a wholesome diet for cows. The evidence of what is admitted to be a wholesome diet for cows. The evidence of what is admitted to be a wholesome diet for cows.

It was after that that they were employed by certain dairymen to "get permission to feed swill." The dairymen were vague as to where such a permission was to come from. They wanted the permission, wherever it came from, but the three who negotiated with Mr. Wise on the subject, told them he could not take a fee to secure an amendment to the ordinance, but would represent them before the Health Board.

Were Not Before Health Board. Then comes the testimony of President Oppenheimer, James R. Gordon and Dr. Levy, to the effect that neither Mr. Pollock nor Mr. Wise appeared before the Health Board. They talked over the matter with Dr. Levy, who claims he did not know they were employed attorneys, and who dealt with them as Councilmen. According to Mr. Gordon, the Health Board had had the matter up a dozen times and finally on January 24, after hearing from Clyde W. Saunders and Harry Beattie, the board did vote to recommend the ordinance.

Following the recommendation of the change, Dr. Levy, it seems, told both the lawyers and his inspectors that the old law need not be very strenuously enforced, and the attorneys seem to have construed this as permission to their clients to go ahead and feed swill, what a number of them admit they were already doing without permission.

RICHARDS HAS NO SHARE IN PROFITS

Evans's Bill Ordered Paid, but Firm Can't Sell City Home Hereafter.

RESOLUTION STOPS IT

Councilman Wise's Dairy Fails to Get Revenue of Milk Contract.

Although the subcommittee, in its report submitted to the Council Committee on Relief of the Poor last night, stated that while it appears that Councilman C. E. Richards is technically liable for debts of E. W. Evans & Company, he does not share in the profits of the business and is not a "legal member" of the firm. Acting on advice of the city attorney, the subcommittee recommended that all bills due and outstanding in favor of E. W. Evans & Company for supplies furnished the City Home be paid.

The bills were held up because it was contended that Councilman Richards, being a member of the firm, had no right under the law to sell supplies to any department of the city government. Mr. Richards admitted that he had loaned E. W. Evans & Company money, but denied that he receives any share of the profits in the business.

Can't Sell Any More. Immediately after the subcommittee's report was adopted, Councilman Kirkwood Mitchell offered a resolution, which was adopted, that in future no more supplies for the City Home be purchased from E. W. Evans & Company.

It was claimed by Mr. Mitchell that the position of Mr. Richards is equivalent. He said that it is a dangerous precedent to establish. He took the position that the committee should not countenance such action, which might result in "fraud" being perpetrated upon the city.

There isn't a business man in Richmond who wouldn't smile and say, "Why of course I isn't a member of the firm." He wouldn't smile cynically and laugh at the idea that Mr. Richards isn't connected with the firm of E. W. Evans & Company. It is wrong for the city to buy supplies from this firm so long as a Councilman is connected with it," said Mr. Mitchell.

Alderman John J. Mitchell opposed the resolution. He contended that according to the report of the subcommittee no law had been violated and the bills already contracted were ordered paid.

Claims He Is Member. Councilman Umlauf said he was in favor of the resolution. "Often things are lawful, but they are not always expedient," he said. He held that there could be no doubt that Mr. Richards has some connection with E. W. Evans & Company, whether he is sharing in the profits or not. He also stated that one of the Commercial Appeal's reports shows that Mr. Richards is not only a member of the firm, but is the most responsible partner. He said, however, that the City Attorney's ruling that unless Mr. Richards shared in the profits of the business he is not a "legal member" of the committee, except to report as it had done.

The Mitchell resolution was adopted by a vote of 5 to 3.

Committee's Report. The subcommittee's report as to whether Mr. Richards is a member of the firm of E. W. Evans & Company follows:

"Your subcommittee appointed on March 21, 1910, to whom was referred for investigation and report the matter of the payment of the bill of E. W. Evans & Company for supplies furnished the City Home, respectfully beg leave to report after a full and impartial hearing of the case, and a careful review of the subject in conference with the City Attorney, that it appears that Councilman C. E. Richards, though technically liable for the debts of E. W. Evans & Company, does not participate in the profits of the business conducted by them, and therefore is not a legal member of said firm."

"The subcommittee thinks it but fair to state, however, that in their opinion Mr. John Hirschberg acted right and fully justified in seeking to have the bill of E. W. Evans & Company withheld from payment until the matter of Mr. Richards's connection with said firm could be ascertained."

"The subcommittee, in view of the information obtained and under advice of the City Attorney, begs to recommend that all bills which are due and outstanding in favor of E. W. Evans & Company be paid."

The report was signed by Mr. Hobson and Mr. Umlauf.

It was stated by members of the committee that the City Attorney had rendered an opinion that while it is unlawful for a partnership business, of which a Councilman is a member, to sell to the city, this does not apply to a corporation in which a Councilman might hold stock.

The question as to whether the Richmond Dairy Company, of which Councilman Wise is a stockholder and counsel, could sell milk to the City Home according to law was not taken up last night.

Contract for Milk. When bids for milk for the ensuing year were opened, it was found that the Richmond Dairy Company, of which Councilman Wise is a director, contracted to supply sweet milk for 24 cents a gallon, and butter milk for 20 cents a gallon. The Rennie Dairy Company agreed to furnish sweet milk for 24 1/2 cents a gallon and butter milk for 21 1/2 cents a gallon. On motion of Councilman Umlauf the contract was awarded to the Rennie Dairy Company.

Weather lately makes a Raincoat indispensable.

Jacobs & Levy Quality Shop.

SUITS WORTH UP TO \$25.00, CHOICE \$14.50

Accept the opportunity while the assortment of sizes and patterns is still good. Every suit is guaranteed by us to give satisfactory service.

\$1.65 for \$2.50 and \$3.00 Straws
\$1.05 for \$1.50 Negligee Shirts
50c for Usual Dollar Silk Hosiery

Gans-Rady Company

SOUTHERN MAY BUY VALLEY RAILROAD TO GET LIBRARY

City of Baltimore Anxious to Sell Its Stock at a Low Figure.

John Marshall High School Graduates Effect an Organization.

Negotiations are in progress for the sale of the interest of the city of Baltimore in the Valley Railroad of Virginia to the Southern Railway Company. The matter will be considered in conference within the next few days.

The desire of members of the City Council of Baltimore that the city should realize something from its holdings was related in The Times-Dispatch yesterday. When the road was built, forty years ago, the city subscribed to \$1,000,000 of the capital stock, which is one-third of the whole. It has realized no dividends, but the original idea was not so much to get returns as to stimulate trade between the Valley and the Maryland city.

Since, however, the receivers of the Baltimore and Ohio surrendered to the Southern the lease of the connecting line between Harrisonburg and Strasburg, there is a feeling that Baltimore has been cut off from profitable connection with all of the Valley south of Strasburg Junction. It is argued that the Southern had rather build up Washington than Baltimore. This feeling has been intensified since the State Corporation Commission decreed the selling of a rough passenger coach between Lexington and Alexandria, starting on the Baltimore and Ohio and being delivered to the Southern at Harrisonburg.

Conference Arranged. Within the past few days, as a result of a manifest desire on the part of leaders in the city government in favor of the disposal of the stock, letters have been exchanged. A telegram from Baltimore last night conveyed the information that a conference has been arranged between Mayor Mahool and Vice-President and General Counsel Hugh L. Bond, of the Baltimore and Ohio, to consider the sale of all the interest held by the city of Baltimore and the Baltimore and Ohio in the Valley Railroad to the Southern Railway.

There is a difference of opinion, even among the owners of the stock, as to its actual value. Dr. T. O. Heatwell, of the First Branch of the City Council, who has been insisting that the city should sell, thinks \$400,000 would not be too much for the \$1,000,000 worth, while Jacob W. Hook, one of the men who represent the city's stock on the board of directors of the Valley Railroad, believes that \$250,000 would be a good price, and hopes the Southern will be willing to pay that much.

It is not presumed that the Southern will pay more than it is obliged to for the property, if ownership is not necessary to that road, especially so since it holds the lease. Its continued operation is, however, vital to the Baltimore and Ohio, which, not being able to control, it is argued, would be glad to see the Southern improve the property.

ANNUAL REUNION. Survivors of Fifteenth Infantry Visit Old Camping Ground.

The annual reunion of the Fifteenth Virginia Regiment took place yesterday at Yorktown, where the regiment went into camp in June, 1861, the first infantry to land at that point. The day was spent in visiting old camping grounds and places of historic interest in and about the old town. War stories and anecdotes were plentiful.

Many of the wives and children of survivors of the regiment were present, among them Mrs. Mary Smith, who as Miss Talley was known as the "Daughter of the Regiment."

The officers elected were: R. R. Griffin, president; A. J. Wray, vice-president; John Murphy, treasurer; J. S. Moore, secretary.

Decided to hold the next reunion of the fifteenth anniversary of the mustering in of the troops, in Williamsburg, in May, 1911, that having been the point at which the regiment first went into camp in 1861.

NURSES TO GRADUATE. Memorial Hospital Class to Receive Their Diplomas.

The graduating exercises of the nurses school of the Memorial Hospital will be held to-morrow night in the auditorium of the John Marshall High School. Ten nurses will receive diplomas, giving them the right to practice their profession in the State of Virginia.

J. Alston Cabell will deliver an address to the nurses, and Dr. Daniel Coleman will present the diplomas. Dr. Christopher Tompkins will preside over the exercises, incident by other occupants of the house.

The graduates who will receive their diplomas are Misses Bertie Mae Arritt, Sadie Pearl Blankenship, Pauline Brooks, Kate Gray Gilliam, Frances Prosser, Minnie Howde, Ida Jean Lucas, Elizabeth Mowde, Florence L. Reinach and Miss Elizabeth Taylor.

JURY BLAMES DEAN. Coroner's Inquest Finds Him Guilty of the Murder of George Lewis.

A coroner's jury summoned yesterday morning to inquire into the death of George Lewis, colored, who was killed early Sunday morning in the house at 147 East Franklin Street, named William Dean as the murderer. R. H. Kelley, the proprietor of the lodging-house in which the murder occurred, identified Dean as the slayer, and he has been identified by other occupants of the house. The preliminary hearing will be held Thursday morning.

Way Now Clear for Construction of Richmond and Henrico Railway.

Lawyers for the Richmond and Henrico Railway Company yesterday removed all doubt as to the construction of the new railway by filing a mortgage indenture in the Chancery Court, near Court House, owned by the company, of Toronto, Canada, trustee. The amount is \$2,000,000.

The mortgage deed describes the route of the proposed line, and specifies that it is to be an independent line, and in addition that the company will own and operate the line. The deed is signed by W. S. Farber, president; John C. Hagan, secretary, and by Charles Magee, of the Union Trust Company.

Does not Color the Hair. Do not hesitate to ask your doctor about your hair and its treatment. He knows all about such matters.

Dandruff. Ingredients of Ayer's Hair Vigor: Sulphur, glycerin, quinine, sodium chlorid, capsicum, sage, alcohol, water, perfume. Will this destroy dandruff? Stop falling hair? Promote growth of hair? Keep the scalp healthy?

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The second meeting of the John Marshall High School Alumni Association was held last night in the auditorium of the John Marshall High School for the purpose of ratifying organization and the adoption of a constitution and by-laws. A great many of the graduates were present, and the meeting proved most enthusiastic.

The committee appointed for that purpose presented a constitution and by-laws which were adopted unanimously. Under the constitution the election of officers, which was held in the last meeting, was ratified. The officers elected were Stephen T. Beveridge, president; Miss Nellie D. Spence, secretary; Alvin B. Hutzler, treasurer. The president last night appointed the executive committee as follows: Dr. Ramon D. Garlin, chairman; Mrs. Howard Whitlock, Miss Martha Davis, Robert D. Brock, Jr., and Mrs. Clarence G. Burton.

The executive committee will formulate plans for the celebration of "Alumni Night" during commencement. It is expected that speeches will be made by prominent alumni, and that the Girls' Glee Club, the High School chorus, and the High School orchestra will furnish the music.

To Get Library First. In speaking of the objects of the association, President Beveridge said that the first object of the association after its completion, organization was the institution of a library sufficient for the needs of the pupils in the High School. He showed that when the High School was built the board could not see its way clear to take the first step, and that the purpose of buying a library, and although the library rooms were ready with cases and shelves, there were no books.

The association will therefore take upon itself the burden of securing the books. There are several schemes for raising funds, and the association will work on the matter until a feasible method is brought forward.

Mr. Beveridge conceived the idea of pledging each graduate the sum of \$100 for the purchase of books. The idea of getting such an association first came from Governor Swann, who spoke when the new school was dedicated. Mr. Beveridge carried the Governor's idea on yesterday, and aroused enthusiasm enough to form the association. Every graduate of the High School is qualified for membership, and it is expected that a majority of the living graduates who live in Richmond will sooner or later become members.

POLICE COURT CASES. George Williamson, Peddler, Produces Bank Roll for Doing Business Without License.

In the Police Court, which was fined \$10 in the charge of peddling without a license. He accompanied a street vendor to a bank and there produced the cash, showing that business had been good.

John H. Williams, colored, who Monday night shot at William Dean, was sentenced to 100 days in jail for carrying a concealed weapon. He was given a similar sentence for feloniously wounding William Patterson, who was sent on to the grand jury.

William Dean, colored, was fined \$10 for working a diseased mule.

BUILDING PERMITS. Inspector Beck Condemns Four Buildings in Richmond.

Building and repair permits were granted by Building Inspector Beck yesterday as follows:

William Brejling, to build a two-story brick store and dwelling on the north side of Main between Sycamore and Rowland Streets, to cost \$4,000; E. H. Garber, to build a pair brick store at 303 Williamsburg Avenue, to cost \$1,000; William Gatznowsky, to repair brick store at 10 South Adams Street, to cost \$100; E. L. Noble, to repair frame dwelling at 600 North Twenty-fourth Street, to cost \$100.

Inspector Beck has condemned four dilapidated buildings in South Richmond. The condemned buildings are dwelling and store at 1245 and 1251 Hull Street, owned by L. W. Cheatham; house at 203 Hull Street, owned by Adams Dean, colored; barber shop, owned by Augustus Royall, and store at 228 Hull Street, owned by Alex. Alvis.

NEW ROAD FILES BIG BOND. Way Now Clear for Construction of Richmond and Henrico Railway.

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BANK OF RICHMOND NO BANKRUPTCY LIKELY TO MERGE FOR TOXAWAY

President Williams Announces That Negotiations Are in Progress. Court Holds That Hotel Company Cannot Be Forced Into Suit.

Advice to the stockholders of the Bank of Richmond not to sell their holdings at present prices, coming from its president, John Skelton Williams, yesterday furnished the first tangible information regarding the reported merger of that institution with some national bank in this city. Rumors to the effect that such a consolidation was seriously contemplated have been current for several weeks, forming the subject of comment in financial circles.

While several banks have been mentioned in this connection, the most persistent report is that the National Bank of Virginia will be the other party to the merger. The result would be the nationalization of the Bank of Richmond, which is now a State bank, and the formation of a financial corporation which would be one of the strongest in the South.

Reduction of operating expenses is understood to be the incentive for the tendency toward consolidation of banks. It is argued that the cost of doing business can be scaled, while giving the institution the advantage of greater capital with which to handle the large financial propositions which the new and greater Richmond is being called upon to assume.

Letter to Stockholders. Mr. Williams's circular letter, which was sent out yesterday, is as follows: "To the stockholders of the Bank of Richmond:

"Certain plans are now under consideration looking to the consolidation of the Bank of Richmond with another large banking institution in this city, on terms which, if carried out, will, it is believed, be decidedly beneficial to the stockholders of both banks."

"No definite plan has been arranged as yet, but I feel it is my duty to give you this information now, in order that you may not be tempted by the advance which has taken place in Bank of Richmond stock in the past few days, in anticipation of some such plan, to part with your holdings without being advised of these negotiations, which, if carried out, are likely to make your stock more valuable than the present quotations."

"Should any consolidation be agreed upon and be recommended by your board of directors, it must, of course, be submitted to the stockholders of the company for their approval or rejection."

ONE Dozen Heavy Gold Plated Safety Pins, 25c. SMITH & WEBSTER, 612 E. Main. Jewelers, Time Specialists.

Remember the Name It's Your Money. G.M.C.'S OLD STYLE PEARL. Stamped in the Tin.

And you want every dollar to tell in good material and workmanship. If you insist on PEARL I. C. Roofing Tin you may be sure 100 per cent. value to every 100 cents expended.

GORDON METAL CO. Fourteenth and Dock Sts., Richmond, Va.

James Royster, Who Ran Amuck On Broad Street a Year Ago, Arrested Again.

James Everett Royster, the negro who more than a year ago ran amuck on Broad Street and was shot at several times and finally clubbed before he was brought to bay, was arrested last night at the instance of his wife, who declared that he annoyed her and disturbed her peace. As a matter of fact, the woman seems to be afraid of her husband.

After running amuck and being tried Royster was found to be insane. He was sent to the Central State Hospital, from which he twice escaped. He was caught and sent back the first time, but he went over to Petersburg and gave himself up after the second escape. He appeared to have recovered his sanity, and Dr. Drewry paroled him until September 23. The negro, exhibited the papers in the station last night. He said that he felt well and that no one need now be afraid of him.

Marriage License. A marriage license was issued yesterday in the Hustings Court to Michael Kocen and Bettie Kacen.

Basing opinion on a decision of the United States Supreme Court, the United States Circuit Court of Appeals yesterday held that creditors cannot force a hotel company into bankruptcy. The point was raised yesterday in the case of the Toxaway Hotel Company, of Lake Toxaway, N. C., against J. L. Smithers & Co., on appeal from the District Court of Asheville, N. C.

The District Court had granted a writ of habeas corpus to the Toxaway Hotel Company, a bankrupt upon petition of J. L. Smithers & Co., creditors, who instituted involuntary bankruptcy proceedings. The hotel company appealed. Judges Goff, Pritchard and District Judge Keller heard argument and reversed the decision of the trial court. The costs were placed upon the creditors who caused the suit. The hotel company was dismissed.

The judges in the Circuit Court ruled that the hotel company could not, under an opinion of the Supreme Court of the United States, be adjudged a bankrupt. It is held by the Supreme Court that a farmer, a hotel company or a wage-earner cannot be forced into bankruptcy. The reason given is that to declare a farmer a bankrupt would result in his crops going to ruin, would lose his means of livelihood.